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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,210	01/20/2004	Hitoshi Suzuki	062709-0127	8071
22428	7590	12/07/2005	EXAMINER	
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			SPISICH, GEORGE D	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/759,210

Applicant(s)

SUZUKI ET AL.

Examiner

George D. Spisich

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 6, 7, 13 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/20/04 & 7/1/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Species I, Figs 1-5 in the reply filed on October 11, 2005 is acknowledged.

Claims 6,7,13 and 14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Species, there being no allowable generic or linking claim.

Claims 1-5 and 8-12 read on the elected Species and have been examined in this Action.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5 and 8-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, lines 6-7 are unclear. The phrases "the harness being extended" and "in a frontward direction" are unclear. Furthermore, line 6 begins "the slack of the harness, the harness" does not appear to be a complete statement.

Claim 1, line 11 is unclear. It is unclear to claim a "fixed part relatively fixed". A part cannot be "relatively" fixed.

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Claim 2, line 2 is unclear. It is unclear to claim "the slack is fixed substantially at the center of a moving range" when the fixed member is offset (not within the moving range) from the moving range and the moving range has not been specifically claimed with respect to the fixed part.

Claim 5, line 2 is unclear. The phrase "to always face each other" is unclear.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi et al. (USPN 5,125,685).

Takahashi et al. disclose a harness slack take-up structure for taking up a slack of a harness extended from a steering wheel (see Fig. 6). Inherently, the steering arrangement includes a steering shaft to which a steering wheel is fixed, a steering column configured to rotatably accommodate the steering shaft and slidable together with the steering shaft in a longitudinal direction thereof (again, see Figure 6).

The harness (9 or 30) extends in a frontward direction from the steering wheel and has a slack (9a). There is a slack holder (19) configured to contain the slack of the harness. A movable part (10) is movable in the slack holder configured to slide with the steering column in the front and rear direction, and a fixed part (24) relatively fixed to

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the slack holder. The first end of the slack being held by the movable part (10) and the second end of the slack held by the fixed part (24). The second end is "fixed" similarly to the manner the second end is "fixed" in Applicant's invention.

The slack holder is fixed relative to a vehicle body and the second end of the slack is fixed substantially at the center of a moving range of the moving part. This is met as the end of element 24 is "substantially" at the center of the moving range of element 10.

As shown in Figure 7, the first end of the slack is zigzagged in the movable part (10) so that the first end is held by the movable part.

The movable part and the fixed part are arranged to "always face each other" with the slack between them.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. (USPN 5,125,685) in view of Horiuchi et al. (USPN 5,229,544).

Takahashi et al. has been discussed in the prior rejection. However, Takahashi et al. does not have a second slack holder having a cylindrical inner hollow to store the slack.

Horiuchi et al. disclose a harness slack take-up structure having a slack holder fixed relative to the steering column (see col. 1, lines 31-40), having an inner cylinder (3,3a) through which the steering shaft is passed, an outer cylinder (4) rotatably attached to the inner cylinder, and a cylindrical hollow formed between the inner cylinder and the outer cylinder. The length of the slack corresponding to a range in a rotational angle of the steering wheel, the first end of the slack being held by the inner cylinder and a second end of the slack being held by the outer cylinder and the slack being stored in the cylindrical hollow (as best seen in Figure 1). This arrangement allows for the adjustment of slack according to the rotational angle of the steering wheel.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the steering wheel arrangement having a longitudinal harness slack take-up structure of Takahashi et al. by providing a rotary harness slack take-up structure of Horiuchi et al. so as to allow for the slack adjustment in the longitudinal direction as taught by Takahashi et al. and also the rotational slack adjustment as taught by Horiuchi et al. The relative location of the arrangement of Horiuchi et al. to be between the steering wheel and the slack take-up structure of Takahashi et al. would be an obvious location to allow for the rotary adjustment at the steering wheel.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kuramoto et al. (USPN 5,037,131), Nagaoka et al. (USPN

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5,841,069), Toyomasu et al. (USPN 5,003,129), Tsukamoto (USPN 6,723,923), Maeda et al. (USPN 5,556,059), JP2003-199234, JP2003-032869.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George D. Spisich whose telephone number is (571) 272-6676. The examiner can normally be reached on Monday-Friday 9:00 to 6:30 except alt. Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

George D. Spisich  
December 1, 2005



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